



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.12964 of 2021

R.Selvapandi

... Petitioner

vs.

The Administrative Director,
The Tamil Nadu State Transport Corporation,
Madurai Division,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to transfer the petitioner on medical health grounds from Cumbum-II Region, Theni District to Batlagundu, Dindigul District by considering the representation dated 12.07.2021 within the time limit stipulated by this Court.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.J.Senthilkumariah

ORDER

The petitioner has filed this Writ Petition seeking a direction to the respondent to transfer the petitioner, on medical health grounds, from Cumbum-II Region, Theni District to Batlagundu, Dindigul District, by considering the representation of the petitioner, dated 12.07.2021.

2. According to the petitioner, he is working as Checking Inspector Grade-I in Cumbum-II Region. He underwent open heart surgery in Apollo Hospital, Chennai and Doctor advised him not to travel and to avoid ascending steps. Earlier, the petitioner transferred from Cumbum-II Region to Batlakundu Region by the proceeding dated 12.11.2018. Challenging the said transfer order, the petitioner filed W.P.(MD) No.24689 of 2018. This Court, by order dated 25.01.2021, allowed the said Writ Petition. Thereafter, the petitioner is continued to work in Cumbum-II Region. Due to the present COVID-19 situation, the Government has suspended the operation of TNSTC buses throughout Tamil Nadu and therefore, the petitioner returned to hometown and staying along with his family at Batlakundu, Dindigul District. While so, on 11.04.2021, he developed a chest pain and immediately he was taken to hospital. The Doctor opined that he was affected with ischaemic heart disease, since he underwent open heart surgery, currently suffers from Angina and Sleep apnoea syndrome, he has been advised not to travel and avoid ascending steps. Hence, the petitioner made a representation dated 12.07.2021, requesting him to transfer the petitioner from Cumbum-II Region to Batlakundu Branch, nearby his native place, enclosing his medical records and has come out with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent and perused the materials available on record.



4. Considering the submissions of learned counsel appearing for the petitioner, the respondent is directed to consider the representation of the petitioner dated 12.07.2021, taking into consideration the medical certificates enclosed by the petitioner and pass orders on merits, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Administrative Director,
The Tamil Nadu State Transport Corporation,
Madurai Division,
Madurai District.

+1CC to M/s.D.Venkatesh, Advocate (SR24886)

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RS (09.08.2021) 2P-3C